

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PHILLIP BAZZLEY,	:	
	:	
Petitioner,	:	CIVIL ACTION NO. 21-2256
	:	
v.	:	
	:	
MORRIS HOUSER, Superintendent; THE	:	
DISTRICT ATTORNEY OF THE	:	
COUNTY OF BERKS; and THE	:	
ATTORNEY GENERAL OF THE STATE	:	
OF PENNSYLVANIA,	:	
	:	
Respondents.	:	

ORDER

AND NOW, this 28th day of July, 2022, after considering the amended petition for a writ of habeas corpus under 28 U.S.C. § 2254 filed by the petitioner, Phillip Bazzley (“Bazzley”) (Doc. No. 4), the state court record, the respondents’ response to the habeas petition (Doc. No. 9), the report and recommendations by United States Magistrate Judge Carol Sandra Moore Wells (Doc. No. 11), and Bazzley’s timely objections to the report and recommendations (Doc. No. 12); and for the reasons set forth in the separately filed memorandum opinion, it is hereby **ORDERED** as follows:

1. The clerk of court shall **REMOVE** this matter from **CIVIL SUSPENSE** and **RETURN** it to the undersigned’s active docket;
2. Bazzley’s objections to the report and recommendations (Doc. No. 12) are **OVERRULED**;
3. The Honorable Carol Sandra Moore Wells’ report and recommendations (Doc. No. 11) is **APPROVED** and **ADOPTED**, except as otherwise set forth in the memorandum opinion;
4. The amended petition for a writ of habeas corpus (Doc. No. 4) is **DENIED**;

5. The court **DECLINES** to issue a certificate of appealability; and
6. The clerk of court shall **MARK** this matter as **CLOSED**.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.